JUDGE RAKOFF

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

DARIUS JACKSON,
a/k/a "Daris Jackson,"
TRACEY CAMERON,
MONIQUE TYLER,
ALEXANDRIA SEELY,
TIAERA SEELY,
RAKUAN COBB,
ASHLEY FITZPATRICK,
CHINESE FISHER, and
LUIS CABALLERO,

Defendants.

SEALED INDICTMENT

16 Cr. 16 CRIM 750

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BACKGROUND

The Retail Theft Ring

1. From at least in or about November 2014, up to and including at least in or about November 2016, in the Southern District of New York and elsewhere, DARIUS JACKSON, a/k/a "Daris Jackson," TRACEY CAMERON, MONIQUE TYLER, ALEXANDRIA SEELY, TIAERA SEELY, RAKUAN COBB, ASHLEY FITZPATRICK, CHINESE FISHER, and LUIS CABALLERO, the defendants, and others known and unknown (collectively, the "Retail Theft Ring") defrauded national retail chains in the Southern District of New York and elsewhere. The Retail Theft Ring has targeted, among other national retail chains, a well-known retailer ("Retailer-1")

that offers clothing and other items for sale at department store locations throughout the country.

2. During the period alleged in this Indictment, the Retail Theft Ring observed employees of Retailer-1 or used their cellular telephones to make video recordings of employees of Retailer-1 as they entered their Personal Identification Numbers ("PIN numbers") at registers and obtained the employees' identification numbers, which are listed on Retailer-1 transaction receipts. The Retail Theft Ring used the PIN numbers and identification numbers to access unmanned registers within Retailer-1 in order to (a) activate Retailer-1 electronic gift cards in high U.S. dollar amounts; or (b) conduct fraudulent returns by entering the Universal Product Code ("UPC") for an item and then marking up the return price of the item to a higher U.S. dollar amount (the "Marked Up Price"). The Marked Up Price was then refunded to debit or credit cards in the names of individuals associated with the Retail Theft Ring.

3. DARIUS JACKSON, a/k/a "Daris Jackson," TRACEY CAMERON, MONIQUE TYLER, ALEXANDRIA SEELY, TIAERA SEELY, RAKUAN COBB, ASHLEY FITZPATRICK, CHINESE FISHER, and LUIS CABALLERO, the defendants, participated in the Retail Theft Ring by, among other things, making purchases from Retailer-1 in order to obtain Retailer-1 employees' PIN numbers and identification numbers, using cellular phones to record Retailer-1 employees

entering their PIN numbers at registers, using Retailer-1 employees' PIN numbers and identification numbers to access unmanned registers, and checking the balance of Retailer-1 electronic gift cards.

COUNT ONE

(Conspiracy to Commit Wire Fraud)

The Grand Jury charges:

4. From at least in or about November 2014, up to and including at least in or about November 2016, in the Southern District of New York and elsewhere, DARIUS JACKSON, a/k/a "Daris Jackson," TRACEY CAMERON, MONIQUE TYLER, ALEXANDRIA SEELY, TIAERA SEELY, RAKUAN COBB, ASHLEY FITZPATRICK, CHINESE FISHER, and LUIS CABALLERO, the defendants, and others known and unknown, willfully and knowingly, did combine, conspire, confederate, and agree together and with each other to commit wire fraud, in violation of Title 18, United States Code, Section 1343.

5. It was a part and object of the conspiracy that DARIUS JACKSON, a/k/a "Daris Jackson," TRACEY CAMERON, MONIQUE TYLER, ALEXANDRIA SEELY, TIAERA SEELY, RAKUAN COBB, ASHLEY FITZPATRICK, CHINESE FISHER, and LUIS CABALLERO, the defendants, and others known and unknown, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud and for obtaining money and property by means of false and fraudulent

pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343.

(Title 18, United States Code, Section 1349.)

COUNT TWO

(Wire Fraud)

The Grand Jury further charges:

6. On or about April 10, 2015, in the Southern District of New York and elsewhere, TRACEY CAMERON and LUIS CABALLERO, the defendants, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, for the purpose of executing such scheme and artifice, and did aid and abet the same, to wit, CAMERON and CABALLERO fraudulently obtained a PIN number of a Retailer-1 employee without the knowledge or consent of any employee or representative of Retailer-1 and used the fraudulently obtained PIN number and identification number of a

Retailer-1 employee to access a register within Retailer-1 to conduct fraudulent returns to a credit card in CABALLERO's name.

(Title 18, United States Code, Sections 1343 and 2.)

COUNT THREE

(Wire Fraud)

The Grand Jury further charges:

7. On or about February 15, 2016, in the Southern District of New York and elsewhere, DARIUS JACKSON, a/k/a "Daris Jackson," and TRACEY CAMERON, the defendants, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, for the purpose of executing such scheme and artifice, and did aid and abet the same, to wit, JACKSON and CAMERON fraudulently obtained a PIN number of a Retailer-1 employee without the knowledge or consent of any employee or representative of Retailer-1 and used the PIN number and identification number to access a register within Retailer-1 to conduct fraudulent returns to debit and credit cards.

(Title 18, United States Code, Sections 1343 and 2.)

COUNT FOUR

(Wire Fraud)

The Grand Jury further charges:

8. On or about March 21, 2016, in the Southern District of New York and elsewhere, DARIUS JACKSON, a/k/a "Daris Jackson," and MONIQUE TYLER, the defendants, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, for the purpose of executing such scheme and artifice, and did aid and abet the same, to wit, JACKSON and TYLER fraudulently obtained a PIN number of a Retailer-1 employee without the knowledge or consent of any employee or representative of Retailer-1 and used the PIN number and identification number to access a register within Retailer-1 to conduct fraudulent electronic gift card activations.

(Title 18, United States Code, Sections 1343 and 2.)

COUNT FIVE

(Wire Fraud)

The Grand Jury further charges:

9. On or about July 26, 2016, in the Southern District of New York and elsewhere, MONIQUE TYLER and RAKUAN COBB, the defendants, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, for the purpose of executing such scheme and artifice, and did aid and abet the same, to wit, TYLER and COBB fraudulently obtained a PIN number of a Retailer-1 employee without the knowledge or consent of any employee or representative of Retailer-1 and used the PIN number and identification number to access a register within Retailer-1 to conduct fraudulent electronic gift card activations.

(Title 18, United States Code, Sections 1343 and 2.)

COUNT SIX

(Aggravated Identity Theft)

The Grand Jury further charges:

10. From at least in or about November 2014, up to and including at least in or about November 2016, in the Southern District of New York and elsewhere, DARIUS JACKSON, a/k/a "Daris Jackson," TRACEY CAMERON, MONIQUE TYLER, RAKUAN COBB, and LUIS CABALLERO, the defendants, and others known and unknown, knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), and did aid and abet the same, to wit, JACKSON, CAMERON, TYLER, COBB, and CABALLERO possessed and used the names and personal information of others to fraudulently access registers within Retailer-1, in connection with the offense charged in Count One of this Indictment.

(Title 18, United States Code, Sections 1028A and 2.)

FIRST FORFEITURE ALLEGATION

11. As a result of committing the offense alleged in Count One of this Indictment, DARIUS JACKSON, a/k/a "Daris Jackson," TRACEY CAMERON, MONIQUE TYLER, ALEXANDRIA SEELY, TIAERA SEELY, RAKUAN COBB, ASHLEY FITZPATRICK, CHINESE FISHER, and LUIS

CABALLERO, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offense alleged in Count One of the Indictment.

SECOND FORFEITURE ALLEGATION

12. As a result of committing the offense alleged in Count Two of this Indictment, TRACEY CAMERON and LUIS CABALLERO, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offense alleged in Count Two of the Indictment.

THIRD FORFEITURE ALLEGATION

13. As a result of committing the offense alleged in Count Three of this Indictment, DARIUS JACKSON, a/k/a "Daris Jackson," and TRACEY CAMERON, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offense alleged in Count Three of the Indictment.

FOURTH FORFEITURE ALLEGATION

14. As a result of committing the offense alleged in Count Four of this Indictment, DARIUS JACKSON, a/k/a "Daris Jackson," and MONIQUE TYLER, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offense alleged in Count Four of the Indictment.

FIFTH FORFEITURE ALLEGATION

15. As a result of committing the offense alleged in Count Five of this Indictment, MONIQUE TYLER and RAKUAN COBB, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offense alleged in Count Five of the Indictment.

Substitute Asset Provision

16. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third party;

c. has been placed beyond the jurisdiction of the court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), Title 21, United States Code, Section 853(p), and Title 28, United States Code, Section 2461, to seek forfeiture of any other property of the defendants up to the value of the above-described forfeitable property.

(Title 18, United States Code, Section 981(a)(1)(C), Title 21, United States Code, Section 853(p); and Title 28, United States Code, Section 2461.)

[signature]
FOREPERSON

[signature]
PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

DARIUS JACKSON, et al.,

Defendants.

INDICTMENT

16 Cr.

(18 U.S.C. §§ 1349, 1343, 1028A, & 2.)

PREET BHARARA
United States Attorney

Foreperson

11/10/16 Filed sealed indictment
Judge Netburn